IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

FRIDAY, THE EIGHTEENTH DAY OF FEBRUARY
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MS JUSTICE G.ROHINI

WRIT PETITION NO : 2883 of 2005

Between:

Kambala Venkata Satyanarayana, S/o Somisetti,
R/o Elapakurru, Elamanchili Mandal

... PETITIONER

AND

1 The Mandal Revenue Officer, Elamanchili Mandal, West Godavari District.
2 Kondeti Satyanarayana, s/o Narasayya,
Elapakurru, Elamanchili Mandal, West Godavari District.

...RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue a writ or order or direction in the nature of writ of Mandamus directing the respondents not to dispossess the petitioner from the land of ac. 0.28 cents in R.S.No. 232/12, situated at Elapakurru of Elamanchili Mandal.

Counsel for the Petitioner: MR.NARAM.NAGESWARA RAO

Counsel for the Respondent NO.1: GP FOR REVENUE

The Court at the stage of admission made the following:

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ORDER:

Heard the learned counsel for the petitioner and the learned Government Pleader for Revenue appearing for the respondents.

On the face of it the matter appears to be a mere property dispute between the petitioner and the second respondent. Hence, I am not inclined to grant any relief as prayed for and accordingly, the writ petition is dismissed. However, keeping in view the allegation that the first respondent-Mandal Revenue Officer, by order dated 11-02-2004 directed the family members of the petitioner not to enjoy the usufruct of the land in question and directed them to vacate the same, it is made clear that the first respondent shall not interfere with the possession of the petitioner in respect of the land in question without following due process of law. No costs.

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G. ROHINI, J

Dated: 18-02-2005

LSK

ASSISTANT REGISTRAR

To

1. The Mandal Revenue Officer, Elamanchili Mandal,

West Godavari District.

2. Two C.Cs. to the Government Pleader for Revenue, High Court Buildings, Hyderabad. (O.U.T.)

3. Two C.D. copies.